

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHRISTOPHER S. JOHNSON,) CASE NO. C05-0201-JCC-MAT
Petitioner,)
v.) ORDER OF DISMISSAL
JAMES SPALDING,)
Respondent.)

The Court, having reviewed petitioner's 28 U.S.C. § 2254 petition, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's § 2254 petition is DENIED, and this action is DISMISSED without prejudice; and
- (3) The Clerk is directed to send copies of this Order to the parties and to Judge Theiler.

DATED this _15th_ day of __July__, 2005.


UNITED STATES DISTRICT JUDGE